

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-16 are currently pending. Claims 1, 3, 8, 10, 15 and 16 are hereby amended by this response. No new matter has been introduced. Support for this amendment is provided throughout the Specification and Drawings. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,154,600 to Newman et al. (hereinafter, merely "Newman") in view of U. S. Patent No. 6,535,252 to Bruls (hereinafter, merely "Bruls").

Claim 1 recites, *inter alia*:

"A video editing device for use with a computer readable recording and playing device operable to allow video material recording and playback and to allow non-linear editing of the video material, comprising ...

wherein said frame processing means comprises:
at least one image processing means for performing predetermined
image processing on individual video frames;

first storage means interposed between said recording and playing device and said frame processing means; and second storage means interposed between each of a plurality of said frame processing means ..." (emphasis added)

On page 7 of the Office Action, the Examiner contends that Newman discloses frame processing means comprising a first storage (storyboard 552) means interposed between said recording and playing device and said frame processing means. The Examiner further asserts that the storyboard is a working portion of the media buffer 216, and that Newman further discloses a second storage means (another storyboard) interposed between each of a plurality of said frame processing means; the video data is processed and stored in buffer and processes it again from the buffer. Applicants respectfully disagree.

Applicants respectfully submit that the Examiner is using the buffer of Newman both ways, i.e. to teach a buffer (frame storage means) as well as the first and second storage means of instant claim 1 (main and work memory; *Instant Application*, Fig. 1). Firstly, the buffer and the first and second storage means are physically three different components in the instant invention. Figure 1 of Newman does not teach or disclose this feature. Additionally, the storyboard of Newman is merely a GUI (graphical user interface) where a consumer may capture, or digitize for storage, hypermedia portions, or shots, from a hypermedia source. Ultimately, the hypermedia shots are stored in the storage 222 (FIG. 5). *Newman*, col. 16, lines 45-62. Therefore a) the storyboard of Newman does not constitute a "storage means", and b) Newman merely uses one storage means; storage 222.

According to the instant invention, the memory unit 112 includes a main memory 112A on which a control program such as a video editing program is stored, and a work memory 112B used as a work region for the editing operation. The work memory 112B is physically separate from the memory 16A built in the image processing unit 16. Here, the memory address

space formed by the work memory 112B and the memory 16A corresponds to "first memory means" and "second memory means" according to the present invention.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is patentable.

Claims 8, 15, and 16 are similar, or somewhat similar, in scope to claim 1, and are therefore patentable for similar, or somewhat similar, reasons.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800